IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT APPEAL NO : 940 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 10/12/2003 in WP NO : 34313 OF 1997 on the file of the High Court.)

Between:

Mohd. Baksh Khan, S/o. Mohd. Wasil Khan,
age 77Yrs., R/o. Hyderabad.

..... APPELLANT

AND

1 The District Collector, Hyderabad District, Hyderabad.
2 The Executive Engineeer, R & B, Govt. of A.P., Hyderabad

District, Hyderabad.
3 The Commissioner, Municipal Corporation of Hyderabad,

Hyderabad.
4 The Deputy Commissioner, Municipal Corporation of

Hyderabad, Circle No.3, Hyderabad.
5 The Revenue Divisional Officer, Hyderabad.
6 The Mandal Revenue Officer, Musheerabad Mandal,

Himayathnagar, Hyderabad.
7 Smt. Qamer Jahan Abid.

(Respondents 2 & 5 not necessary in this petition)

.....RESPONDENTS

Counsel for the Appellant: MR.T.S.ANAND

Counsel for the Respondents 1 & 6 : GP FOR REVENUE

Counsel for Respondents 3 & 4: Mr.Ganta Rama Rao, Standing Counsel for Municipality

The Court at the stage of admission made the following :

J U D G M E N T (Per the Hon'ble Sri Bilal Nazki, ACJ)

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The writ appeal is filed against the order of learned Single Judge in Writ Petition No.34313 of 1997. The grievance of the petitioner was that some constructions belonging to him were demolished by the respondents for road widening. The Government claimed that the structures had been built over the land belonging to the Government and as such they were within their rights to demolish the structures, but they conceded that they would pay compensation for the structures. The learned Single Judge, pending disposal of the writ petition, granted a stay for further demolition. But, during the pendency of the writ petition, the petitioner addressed a letter on 04-02-1999 to the respondents handing over the possession of the property subject to certain conditions. The Municipal Corporation valued the structures belonging to the petitioner that were demolished and fixed the compensation at Rs.5,90,194/-. A cheque was handed over to the petitioner, which was accepted by him. In these circumstances, the learned Single Judge disposed of the writ petition giving liberty to the petitioner to seek remedies, if aggrieved, from appropriate authorities. We do not find any ground to interfere in the matter. The writ appeal is accordingly dismissed. No order as to costs.

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(Bilal Nazki, ACJ)

14th June, 2005

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(G.Chandraiah,J)

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To

1 The District Collector, Hyderabad District, Hyderabad.
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District, Hyderabad.

3 The Commissioner, Municipal Corporation of Hyderabad,

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Hyderabad, Circle No.3, Hyderabad.
5 The Revenue Divisional Officer, Hyderabad.
6 The Mandal Revenue Officer, Musheerabad Mandal,

Himayathnagar, Hyderabad.
7 One CC to G.P. for Revenue, High Court buildings, Hyderabad.

8 Two CD copies